

## CLAIM AMENDMENTS

1-13 (Cancelled)

14. (currently amended) Apparatus for the anaerobic fermentation of ~~materials with~~ raw materials, comprising:  
a preacidifier for receiving said raw materials and in which said raw materials are subject to a preacidification,  
a fermenter in which said preacidified materials ferment,  
and  
transport means for transporting said preacidified materials from said preacidifier into said fermenter, wherein said transport means are formed to distinguish preacidified materials from the raw materials and to selectively transport sufficiently the preacidified materials into the fermenter while the raw materials remain in the preacidifier.

15. (currently amended) Apparatus according to ~~claim 15~~ claim 14, wherein said transport means comprise a withdrawal device for ~~the withdrawal from the~~ of material from an upper portion of said ~~preacidifier, which are preferably formed by a spillway of said preacidifier or by a withdrawal nozzle end arranged in the upper portion of said preacidifier.~~

16. (currently amended) Apparatus according to claim 15, wherein said transport means comprise a control device for said withdrawal device, with which said withdrawal device ~~and preferably an agitation device such as a stirrer~~ can be driven.

17. (previously presented) Apparatus according to claim 14, wherein said transport means comprise a sieve.

18. (currently amended) Apparatus according to claim 14, wherein said transport means comprise a ~~floatation~~ flotation device and a withdrawal device in ~~the lower~~ a lower portion of said preacidifier.

19. (currently amended) Apparatus according to claim 18, wherein said transport means comprise a control device for said withdrawal device with which said withdrawal device and ~~preferably said floatation~~ said flotation device can be driven.

20-26 (canceled)

27. (new) Apparatus according to claim 15, wherein the withdrawal device for withdrawing material from the upper portion of said preacidifier comprises a spillway of said preacidifier.

28. (new) Apparatus according to claim 15, wherein the withdrawal device for withdrawing material from the upper portion of said preacidifier comprises a withdrawal nozzle arranged in the upper portion of said preacidifier.

29. (new) Apparatus according to claim 14, comprising an agitation device for agitating materials in the preacidifier and a control device for controlling operation of the agitation device.

30. (new) Apparatus according to claim 14, comprising a mechanical comminution device for comminuting at least part of the raw material.

31. (new) Method for the anaerobic fermentation of raw materials, comprising:

introducing the raw materials into a preacidifier,  
preacidifying the raw materials in the preacidifier,  
transferring preacidified materials from the preacidifier to a fermenter while retaining the raw materials in the preacidifier, and  
fermenting the preacidified materials in the fermenter.

32. (new) Method according to claim 31, wherein the step of transferring preacidified materials from the preacidifier to the fermenter while retaining the raw materials in the preacidifier comprises permitting the materials in the preacidifier to settle and subsequently withdrawing materials from an upper portion of said preacidifier.

33. (new) Method according to claim 31, wherein the step of transferring preacidified materials from the preacidifier to the fermenter while retaining the raw materials in the preacidifier comprises transferring materials from the preacidifier to the fermenter through a sieve.

34. (new) Method according to claim 31, wherein the step of transferring preacidified materials from the preacidifier to a fermenter while retaining the raw materials in the preacidifier comprises feeding gas into the preacidifier in a lower portion of the preacidifier for effecting flotation in the preacidifier, and withdrawing materials from the lower portion of said preacidifier.

35. (new) Method according to claim 31, wherein said raw materials comprise fluids and solids.

36. (new) Method according to claim 31, comprising pretreating the raw materials prior to introducing the raw materials into the preacidifier.

37. (new) Method according to claim 36, wherein said raw materials comprise solids and the step of pretreating the raw materials comprises mechanically comminuting the solids.